

EXHIBIT A

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION**

ESTATE OF LANE CAVINESS, *et al.*,

Plaintiffs,

v.

ATLAS AIR, INC., *et al.*,

Defendants.

Case No. 1:22-cv-23519-KMM-LFL

**DECLARATION OF CARLEEN A. YBARRA ON BEHALF OF DEFENDANTS
ATLAS AIR, INC., JOHN W. DIETRICH, PATRICIA GOODWIN-PETERS,
AND JEFFREY CARLSON**

I, Carleen A. Ybarra, declare as follows:

1. I currently serve as Director Employee Relations & Workforce Solutions for Atlas Air, Inc. (“Atlas”). I have held this position since July 19, 2021. I have personal knowledge of the information herein.
2. Atlas is a Delaware corporation. Its principal place of business and corporate headquarters are located at 2000 Westchester Avenue, Purchase, New York, and its senior leadership team manages Atlas’s worldwide operations from there. Atlas employs approximately 4,354 domestic active employees located in airports across the country, Atlas’s corporate headquarters, and all of its offices.
3. Atlas’s wholly owned parent company, Atlas Air Worldwide Holdings, Inc. (“AAWW”), is also a Delaware corporation with its principal place of business in Purchase, New York.

4. Atlas's policies concerning the COVID-19 vaccine—including its reasonable accommodations policy—were developed and executed primarily by employees based in New York and, during pandemic conditions, working from other states in the Northeast.

5. Atlas maintains operational centers at the following airports throughout the continental United States: Anchorage, Chicago-O'Hare, Cincinnati, John F. Kennedy, Los Angeles, and Miami. This means that just one of Atlas's operation centers is located in Florida.

6. Only 14.5% of Atlas's U.S. workforce has a Florida duty station—634 out of a domestic workforce of 4,354. From January 2021 through October 2022 (when this litigation commenced), take offs and landings in Florida never represented more than 9% of total monthly flights.

7. Atlas maintains a training center in Miami, Florida and conducts a small percentage of its operations in the state. Flight Crew training takes place at the Miami training center, and certain specialized ground employees based in Miami also receive the training specific to their position in Miami.

8. In their Complaint (¶ 130), Plaintiffs allege that Atlas's Miami training center contains "30,000 square feet of administrative and instructional space." Yet, Atlas maintains far greater space elsewhere—including over 150,000 square feet of space in Kentucky, over 100,000 square feet in California, and over 65,000 square feet of space in New York—as well as significant physical plants at locations across the country (and internationally, including over 22,007 square feet in Hong Kong, 4,800 square feet in Shanghai, and 4,300 square feet in South Korea).

9. Atlas's workforce outside of Florida far outnumbers its workforce inside of Florida. In Kentucky alone, Atlas has 1,365 employees—more than double the number of

employees who work in Florida. Atlas also has 537 employees in Alaska, 538 employees in California, 731 in New York, 206 in Illinois, 163 in Texas, and other employees based in 14 other states and various foreign countries.

10. Atlas's Ground Operations Support and Facilities, Accounting, Finance, Financial Planning and Analysis, Safety, Administration, Systems Operations, Defense & Government Programs, Sales & Marketing, Communications, Legal, and Human Resources functions all are based in New York. Atlas's Flight Operations (including Scheduling and Planning) are based in New York and Kentucky. Some of these Atlas functions maintain staff in other offices, but are still led from New York.

11. Atlas's principal executive offices are also located in New York.

12. Atlas's board meetings typically take place in New York or in Washington, D.C. The most recent board meeting took place in New York.

13. Atlas services its wholly owned parent company's stock (AAWW) in New York. That stock currently trades on the NASDAQ, in New York. Atlas's parent company has entered into a definitive agreement to be acquired by an investor group. Upon completion of the transaction, Atlas's parent will become a privately held company and shares of AAWW stock will no longer be listed on the NASDAQ.

14. In my capacity as Director Employee Relations & Workforce Solutions, I am familiar with Atlas's process of maintaining employment records. It is the regular practice of Atlas for its employees to create and update a record for each Atlas employee that includes (among other things) the location where the employee works (*i.e.*, has his/her base of operation) and where the employee resides. Atlas keeps these employee records in the course of its regularly conducted business activities. Based on a review of Atlas's regularly maintained

employment records, the Plaintiffs include current and former pilots and ground operations personnel.¹ As set forth in the below table, 62 of the 98 Plaintiffs currently or formerly employed by Atlas in this action have no tie to Florida, while another 15 do not work in Florida, but only live there.

Last Name	First Name	Employee Type	Work Location (State)	Home Location (State)
Akerlund	Patrick	Pilot	AK	AK
Alzati	Michael	Pilot	TN	FL
Anderson	Eric	Pilot	KY	KY
Ballard Jr.	Michael	Pilot	KY	KY
Bearce Jr.	Larry	Pilot	FL	IA
Bellman	Robert	Pilot	FL	FL
Bendiburg	Benjamin	Pilot	TX	NH
Berry	Gregory	Pilot	AK	GA
Berry*	Douglas	Pilot	AK	GA
Bohnert	Douglas	Pilot	IL	CO
Botha	Lynette	Pilot	CA	SD
Buehrer*	Caleb	Pilot	IL	TX
Bullock	Richard	Pilot	FL	FL
Carroll	Jon	Pilot	KY	NC
Caskey	Vergil	Pilot	AK	OK
Castor	James	Pilot	CA	CO
Chapman	Brett	Pilot	AK	AK
Charboneau	Nathan	Pilot	KY	MI
Churchel	Shawn	Pilot	CA	FL
Colon	Joel	Pilot	KY	FL
Connor	Mark	Pilot	TX	TN
Cronauer	Matthew	Pilot	CA	VA
Cunningham*	Fred	Pilot	CO	CO
Danza	Royal	Pilot	CA	AZ
De Sousa	Elliot	Pilot	IL	CO
Desandro	Eric	Pilot	FL	FL
Dixon	Steve	Pilot	KY	TN
Erickson	James	Pilot	CA	ID
Esquivia	Luis	Pilot	CA	FL

¹ Individuals noted with an asterisk (*) next to their last name in the table are no longer employed with Atlas.

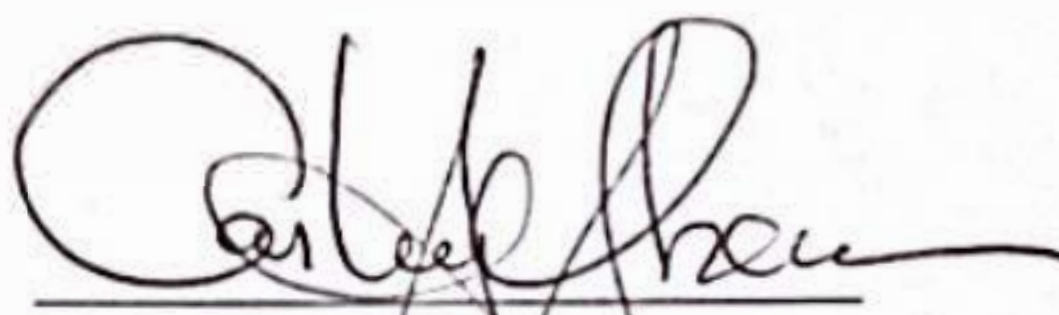
Last Name	First Name	Employee Type	Work Location (State)	Home Location (State)
Estate of Lane Caviness ²		Pilot (Lane Caviness)	FL (Lane Caviness)	TX (Lane Caviness)
Estes	Lee	Pilot	KY	AL
Fratti	Robert	Pilot	CA	ID
Frisbie	Jason	Pilot	CA	AK
Frye	Timothy	Ground Operations	FL	FL
Fussle	Jonathan	Pilot	NY	IN
Gamboa	Tony	Pilot	FL	FL
Gebhard	Dennis	Pilot	FL	FL
Ghods	Reza	Pilot	CA	FL
Gilman	Mark	Pilot	OR	AR
Giudice	Robert	Pilot	CA	UT
Gordon	Eric	Pilot	IL	PA
Gordon	Greg	Pilot	NY	OK
Greer*	Daniel	Pilot	CA	CA
Heivilin	Rexford	Pilot	FL	GA
Henning	Jason	Pilot	KY	KS
Hewson	David	Pilot	KY	FL
Hontz	Todd	Pilot	FL	FL
Hudson	Daniel	Pilot	CA	TX
Justice	Roger	Pilot	KY	IN
Kassandji	Venancio	Pilot	FL	FL
Kearins	John	Pilot	FL	NH
Keen	David	Pilot	KY	GA
Kinder	Ricky	Pilot	KY	IA
Kirby	Beth	Pilot	KY	SC
Koustas	Andreas	Pilot	FL	NH
Kravetz	Chad	Pilot	FL	FL
Lee	Daniel	Pilot	AK	AK
Lindberg	Carl	Pilot	CA	AZ
Loschiavo	Joseph	Pilot	KY	AL
Lutz	Andrew	Pilot	KY	FL
Lutz	Blythe	Pilot	KY	FL
Macario	Rafael	Pilot	KY	FL
Mayo Jr.	Douglas	Ground Operations	FL	FL

² Plaintiffs' Complaint is silent as to the residency or place of employment as to Lane Caviness (deceased) or for the representatives of his Estate: Plaintiff Landon Caviness and Plaintiff Morgan Caviness are not Atlas employees.

Last Name	First Name	Employee Type	Work Location (State)	Home Location (State)
McMillan	Montague	Pilot	KY	ID
McQuillen	April	Pilot	KY	FL
McQuillen	Christopher	Pilot	KY	FL
Meissner*	Steven	Pilot	AK	FL
Michonski	Jeffrey	Pilot	OR	VA
Mickler	Andrew	Pilot	AK	AK
Morris	Corey	Pilot	FL	FL
Muratore	Steven	Pilot	FL	FL
Myers	Gregory	Pilot	CA	CA
Napora	Peter	Pilot	CA	AZ
Pardo	Joel	Ground Operations	FL	KY
Phillips	Patrick	Pilot	TN	TX
Phillips*	Lance	Ground Operations	FL	CO
Pittet*	Siegfried	Pilot	AK	TX
Pronk	Glen	Pilot	KY	KY
Randall	Charles	Pilot	IL	PA
Raymond	Peter	Pilot	KY	TX
Roberts	Joshua	Pilot	KY	OH
Rogers	Jason	Pilot	CA	CA
Samson	Gregory	Pilot	AK	ID
Schreck	Kimberly	Ground Operations	KY	KY
Serritella*	William	Pilot	NY	FL
Shelton	Gentry	Pilot	TX	TX
Snaza	Todd	Pilot	FL	SD
Sorrentino	Donald	Pilot	NY	NH
South	Mark	Pilot	KY	KY
Stark	Michael	Pilot	CA	TX
Staton	Austin	Pilot	AK	AK
Stowells	Forrest	Pilot	OR	WA
Swift	John	Pilot	CA	CA
Taylor	Nick	Pilot	AK	AZ
Thompson	William	Pilot	FL	FL
Thoroughman	Brandon	Ground Operations	KY	IN
Verdes	Gustavo	Pilot	FL	AZ
Villella	James	Pilot	KY	FL
Zarrabian	Farshad	Pilot	CA	FL

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 2, 2023.



Carleen A. Ybarra
Director Employee Relations & Workforce Solutions